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Attn: OIPE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313

Date: February 27, 2006 | Name: JoAnne M. Varanelli | Signature:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Design Application of:)	
Dominique Dupuis)	Art Unit: TBA
)	
Serial No.: 10/547,783)	Confirmation No. 7168
)	
Filing Date: May 23, 2005)	Docket No.: 99342.00063
)	
For: Method for Enhancing the Physico-Chemical)	Customer No.: 21832
Properties of Bitumen Compositions and)	
Novel Bitumen Compositions with)	
Enhanced Properties and Their Uses)	

ATTN: OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

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PETITION UNDER 37 CFR § 1.10(c)

Dear Sir:

Pursuant to 37 CFR § 1.10(c), Applicant hereby submits this Petition to Correct 371 Formalities Letter in the above-identified application. Applicant petitions to correct a discrepancy between the date of deposit as shown by the "date-in" and the filing date accorded by the USPTO. Specifically, the 371 Formalities Letter issued by the USPTO on December 27, 2006 indicates the filed-on dates of the International application, the copy of the International Search Report, the U.S. Basic National Fees, and the Priority Document to be **June 23, 2005**.

As shown by the attached evidence, these papers were deposited directly with an employee of the United States Postal Service ("USPS") Hartford, Connecticut, 06199, as

"Express Mail Post Office To Addressee" under Express Mail Label No. EV56783556US on May 23, 2005.

In support of this Petition, Applicant submits herewith a true copy of Express Mail Label No. EV56783556US, showing a stamped "date-in" of May 23, 2005, in compliance with 37 CFR § 1.10(c)(3). Additionally, Applicant submits herewith a true copy of the Return Receipt Postcard, itemizing the papers comprising the correspondence and showing the affixed USPTO bar code label indicating a received date of "23 May 2005".

Having learned of the error in the filing date from the 371 Formalities Letter, Applicant has proceeded promptly to collect all requisite information and evidence and to prepare this petition upon learning of the error in accordance with 37 CFR § 1.10(c)(1).

The number of the "Express Mail" mailing label was placed on the correspondence prior to mailing in accordance with M.P.E.P. § 513. Moreover, the "Certificate Of Express Mailing" cover letter listed the Express Mail number and itemized the separate papers comprising the correspondence. Applicant thereby meets the requirements of 37 C.F.R. § 1.10(c)(2).

It is respectfully submitted that Applicant has satisfied the standards as set forth in M.P.E.P. § 513 and 37 C.F.R. § 1.10(c). Accordingly, it is respectfully requested that this petition be granted, and the filed-on dates accorded to the International Application; copy of the International Search Report; U.S. Basic National Fees; and Priority Document be corrected to indicate that such were filed on May 23, 2005.

No fee is believed to be required with this submission. However, if any fee or

extension is required, please consider this a petition therefore, or otherwise if necessary to cover any deficiency in fees already paid, authorization is hereby given to charge our Deposit Account No. 50-3569.

Respectfully submitted,

Date: February 27, 2006

By:



Eric E. Grondahl
Registration No. 46,741
Attorney for Applicant

PTO Correspondence Address:

McCarter & English, LLP
CityPlace I
185 Asylum Street
Hartford, CT 06103
Tel: (860) 275-6719
Fax: (860) 724-3397



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Sir: Kindly acknowledge receipt of the following papers by stamping and returning this card.

JC04 Rec'd PCT/PTO 23 MAY 2005

PATENT

Serial No: TBA Filing Date: HERCINTH Atty: EEG Client No: 99342.000631US
Title: METHOD FOR ENHANCING THE Due Date: 5/22/05
(SUN)

- A patent application including pages of abstract and specifications and claims
- (Continuation) (Divisional) (CIP) (Provisional) (Utility) (CPA) (Complete) (Design) Application
- Response to Notice to File Missing Parts
- Copy of Notice to File Missing Parts
- _____ sheets of drawings formal informal
- Declaration/POA executed unexecuted
- Assignment
- Recordation Form Cover Sheet
- Application Transmittal Letter
- Preliminary Amendment
- Amendment
- Amendment Fee Transmittal Letter
- Petition and Fee for Extension of Time
- Information Disclosure Statement
- PTO Form 1449 and Copies of Cited References (____)
- Issue Fee Transmittal
- Submission of Formal Drawings
- Maintenance Fee

- Certificate Under 37 CFR § 3.73(b)
- Revocation And Substitute Power of Attorney
- Associate Power of Attorney
- Priority Document
- PCT Request
- PCT Demand
- PCT Power of Attorney
- PCT Transmittal Letter
- PCT Fee Calculation Sheet
- PCT Response to Invitation to Correct Defects
- PTO-1390 TRANSMITTAL LETTER
(2nd PAGE IN DUPLICATE)
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-
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Date 5/23/05

MV